

Misbranding, Section 403 (d), the container of the article was so filled as to be misleading since it contained excess packing medium and fewer peas than are usually present and expected in cans of the size involved.

DISPOSITION: November 18, 1949. The R. O. Kelley Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

15732. Adulteration of dried black-eyed peas. U. S. v. 81 Cases * * *.
(F. D. C. No. 28300. Sample No. 63844-K.)

LIBEL FILED: November 21, 1949, Western District of South Carolina.

ALLEGED SHIPMENT: On or about September 19, 1949, by Benham & Co., Inc., from Mineola, Tex.

PRODUCT: 81 cases, each containing 12 2-pound bags, of dried black-eyed peas at Greenville, S. C.

LABEL, IN PART: (Bag) "Benco Brand Beans."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects.

DISPOSITION: January 10, 1950. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

15733. Adulteration of Soyabits (ground soybeans). U. S. v. 78 Bags, etc.
(F. D. C. No. 28040. Sample Nos. 1943-K, 1944-K, 63768-K, 63774-K.)

LIBEL FILED: October 11, 1949, Northern District of Georgia.

ALLEGED SHIPMENT: On or about August 10 and September 2, 1948, from Chicago, Ill.

PRODUCT: 194 100-pound bags of Soyabits (ground soybeans) at Atlanta, Ga., in possession of the Atlanta Service Warehouse.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects, rodent excreta, and rodent hairs; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 14, 1949. The Glidden Co., Cleveland, Ohio, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for conversion into stock feed, under the supervision of the Federal Security Agency.

15734. Adulteration of pickles. U. S. v. 19 Cases, etc. (F. D. C. No. 28285.
Sample Nos. 48585-K, 48586-K.)

LIBEL FILED: On or about November 17, 1949, District of New Jersey.

ALLEGED SHIPMENT: On or about September 19 and October 4 and 17, 1949, by Mrs. Schlorer's, Inc., from Philadelphia, Pa.

PRODUCT: 35 cases, each containing 24 12-ounce jars, of pickles at Camden, N. J.

LABEL, IN PART: (Jar) "Mrs. Schlorer's. Sweet Midgets [or "Preserved Pickle Strips"]."